

To: Larry Lester, SCR

From: 03

Re: Groundwater Use Restriction
GIS Registry Data

Site Name/Address:

Faust Property

210/212 N Bassett St

Madison

BRRTS #:

03-13-190167

Date of Closure Decision:

15 Sept 99

☐ Off-site Contamination

☐ Right-of-way Contamination

Packet Contains:

- ✓ 1. Closure Letter
- ✓ 2. Conditional closure letter
- ✓ 3. All property deeds with 140 ES exceedances
- ✓ 4. Metes/bounds legal description (certified survey)
- ✓ 5. Tax parcel number
- 6. GPS data for each affected property
- ✓ 7. General location map
- 8. Detailed location map, showing all parcels affected by 140 ES exceedances, property boundaries, buildings, etc.
- ✓ 9. Latest map showing gw flow direction, MW, potable wells. [optional: Isoconcentration maps of compounds => ES]
- ✓ 10. Latest map showing extent or outline of contamination plume and gw flow direction
- ✓ 11. Latest table of analytical results
- ✓ 12. Geologic cross section



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

March 24, 2000

File Ref: Dane County
03-13-190167

Mr. Scott Faust
Broadwalk Investments
528 South Park Street
Madison, WI 53703

Subject: Closure of Faust Property, 210 North Bassett Street, Madison

Dear Mr. Faust:

On September 9 1999 your site was reviewed for closure by the South Central Region Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On September 15, 1999, you were notified that the Closure Committee had granted conditional closure to this case.

On March 15, 2000, the Department received correspondence indicating that you have complied with the conditions of closure. Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

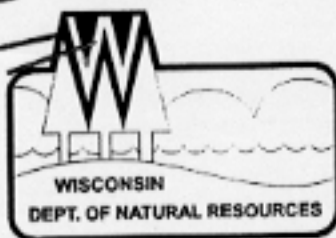
However, please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the number below.

Sincerely,

Michael Schmoller
Hydrogeologist
608-275-3303

cc: Doug Winkie, Douglas Engineering, 2916 Market Place, Madison, WI 53719



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruth E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

September 15, 1999

File Ref: 03-13-190167

Mr. Scott Faust
Boardwalk Investments
528 South Park Street
Madison, WI 53703

Subject: Conditional Site Closure: Faust Property, 210 North Bassett Street, Madison

Dear Mr. Faust:

On September 9, 1999, your request for closure of the site named above was reviewed by the South Central Region Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. The contamination on the site property appears to have been remediated to the extent practicable under site conditions. Your case will be granted closure under s. NR 726.05, Wis. Adm. Code, when the following conditions have been met.

MONITORING WELL ABANDONMENT The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to us on forms provided by the Department.

GROUNDWATER USE RESTRICTION The closure committee has required that a groundwater use restriction be prepared and recorded at the county register of deeds office to address the issue of remaining groundwater contamination associated with the site. The purpose of this document is to restrict the use of groundwater that may be contaminated in the vicinity of the site. The groundwater use restriction is attached. You must sign it, have it recorded by the Dane County Register of Deeds, and submit a copy with the proof of filing to the Department.

Please be aware that the site case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the sites poses a threat to public health, safety, or welfare or to the environment.

Sincerely,

Michael Schmoller
Hydrogeologist
608-275-3303

STATE BAR OF WISCONSIN FORM 2-1982
WARRANTY DEED

DANE COUNTY
REGISTER OF DEEDS

Doc No 2971012

1998-05-18 04:52 PM
Trans. Fee 747.00
Rec. Fee 12.00
Pages 2

001700

RESEARCH DEVELOPMENT CORPORATION

conveys and warrants to SCOTT M. FAUST

the following described real estate in _____ Dane _____ County,
State of Wisconsin:

See Exhibit A attached hereto
and made a part hereof.

RETURN TO
ATTY R. W. BOETCHER
17 APPLEGATE CT. SUITE 11
MADISON, WI 53713

60-0709-231-1501-2

(Parcel Identification Number)

This _____ is not _____ homestead property.
(-is) (is not)

Exception to warranties: Municipal and zoning ordinances and agreements entered under them, recorded easements for the
distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes levied in
1996, 1997 and 1998.

Dated this _____ 29th _____ day of _____ April _____, 1998

(SEAL)

(SEAL)

* RESEARCH DEVELOPMENT CORPORATION

(SEAL)

By:

(SEAL)

* Nelson D. Flynn, President

AUTHENTICATION

Signature(s) Nelson D. Flynn

ACKNOWLEDGMENT

STATE OF WISCONSIN

County.

ss.

Personally came before me this _____ day of _____, 19____, the above named

to me known to be the person _____ who executed the
foregoing instrument and acknowledge the same.

Notary Public _____ County, Wis.
My Commission is permanent. (If not, state expiration date: _____, 19____.)

THIS INSTRUMENT WAS DRAFTED BY

Michael S. Green, Michael Best & Friedrich LLP

P.O. Box 1806, Madison, WI 53701-1806

Signatures may be authenticated or acknowledged. Both are
not necessary.)

WARRANTY DEED

STATE BAR OF WISCONSIN
FORM No. 2-1982

EXHIBIT A

001701

The Southeast 40 feet of Lot Nine (9), the Northwest 99 feet of Lot Ten (10), the Northwest 40 feet of Lot Eleven (11), and the Northwest 40 feet of the Northeast 22 feet of Lot Twelve (12), Block Thirty-five (35), Madison, Wisconsin, according to the recorded plat thereof, in the City of Madison, Dane County, Wisconsin.

Also described as:

Part of Lots Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Thirty-five (35), Madison, according to the recorded plat thereof, in the City of Madison, Dane County, Wisconsin, more fully described as follows: Beginning on the Southwest line of N. Bassett Street at the East corner of said Lot 9; thence Northwest along said Southwest line 40.45 feet; thence Southwest 66.20 feet to the Southwest line of said Lot 9; thence Southeast along said lot line 40.20 feet; thence North 45° 08' 00" East, 66.20 feet to the point of beginning; also the Northwest 99.00 feet of said Lot 10; thence Northwest 40.00 feet of said Lot 11 and the Northwest 40.00 feet of the Northeast 22.00 feet of said Lot 12.

TOGETHER WITH an easement for ingress and egress over the Northeast fifteen (15) feet of the Southeast ninety-two (92) feet of Lot Eleven (11), Block Thirty-five (35), Madison, according to the recorded plat thereof, in the City of Madison, Dane County, Wisconsin.

Parcel No. 60-0709-231-1501-2

Document Number

GROUNDWATER USE RESTRICTION

REGISTER OF DEEDS
DANE COUNTY WI
99 OCT -7 PM 1:38

Declaration of Restrictions

In Re: See Attached Deed

STATE OF WISCONSIN)

)

ss

COUNTY OF DANE)

COPY

Recording Area

Name and Return Address

Scott Faust
210 N. Bassett ST.
Madison, WI 53703

WHEREAS, Scott Faust is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property. Petroleum contaminated groundwater above Ch. NR 140 Wis. Adm. Code enforcement standards existed on this property at the following location on the following date: groundwater contaminated with benzene above the enforcement standard existed in the area of the former tank bed in March 1999.

60-0709-231-1501-2
Parcel Identification Number (PIN)

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in NR 809 is restricted by NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific

COPY

requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 7 day of Oct, 1999.

Signature: Scott M. Faust
Printed Name: Scott M. Faust

Subscribed and sworn to before me
this 7 day of October, 1999

Marge Anderson
Notary Public, State of WISCONSIN
My commission Expires 11-7-99

This document was drafted by the Wisconsin Department of Natural Resources.

COPY

EXHIBIT A

001701

The Southeast 40 feet of Lot Nine (9), the Northwest 99 feet of Lot Ten (10), the Northwest 40 feet of Lot Eleven (11), and the Northwest 40 feet of the Northeast 22 feet of Lot Twelve (12), Block Thirty-five (35), Madison, according to the recorded plat thereof, in the City of Madison, Dane County, Wisconsin.

Also described as:

Part of Lots Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Thirty-five (35), Madison, according to the recorded plat thereof, in the City of Madison, Dane County, Wisconsin, more fully described as follows: Beginning on the Southwest line of N. Bassett Street at the East corner of said Lot 9; thence Northwest along said Southwest line 40.45 feet; thence Southwest 66.20 feet to the Southwest line of said Lot 9; thence Southeast along said lot line 40.20 feet; thence North 45° 08' 00" East, 66.20 feet to the point of beginning; also the Northwest 99.00 feet of said Lot 10; thence Northwest 40.00 feet of said Lot 11 and the Northwest 40.00 feet of the Northeast 22.00 feet of said Lot 12.

TOGETHER WITH an easement for ingress and egress over the Northeast fifteen (15) feet of the Southeast ninety-two (92) feet of Lot Eleven (11), Block Thirty-five (35), Madison, according to the recorded plat thereof, in the City of Madison, Dane County, Wisconsin.

Parcel No. 60-0709-231-1501-2

Attachment 5

Groundwater Analytical Results Faust Property

| | | GROs (µg/L) | VOCs (µg/L) | | | | | | |
|------|-------------|----------------|-------------|--------------|-----------------------------|------------|---------|------------------------|---------|
| Well | Date | | Benzene | Ethylbenzene | Methyl-Tert- Butyl-Ether | Napthalene | Toluene | Trimethyl- benzenes | Xylenes |
| | NR 140 ES | - | 5 | 700 | 60 | 40 | 343 | 480 | 620 |
| MW-1 | 10/07/1998 | | 13 | --- | --- | --- | --- | 95 | 640 |
| | 10/7/98 Dup | 1,200 | 16 | 2.9 | 12 | | 2 | 116 | 730 |
| | 12/04/1998 | 410 | 6 | 1.6 | 2.7 | | 1.2 | 23 | 180 |
| | 03/23/1999 | 830 | 10 | 6 | 1.6 | | 1.1 | 66 | 150 |
| MW-2 | 12/04/1998 | | --- | --- | --- | --- | --- | --- | --- |
| | 03/23/1999 | --- | --- | 1 | --- | | --- | --- | 0.98 |
| MW-3 | 12/04/1998 | | --- | --- | --- | --- | --- | --- | --- |
| | 03/23/1999 | 110 | 0.63 | --- | --- | | --- | 1 | 1 |

Not Detected

Not Analyzed

Exceeds NR 140 Enforcement Standard

Bay +

Site Location



DOUGLAS ENGINEERING
ENVIRONMENTAL SERVICES

| | |
|------|---------|
| DWN. | C.A. |
| APP. | D.W. |
| REV. | 4/30/99 |

SITE LOCATION

PROJ. 1362

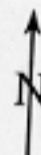
1" = 2000 FT

FAUST PROPERTY

FIGURE 1

LEGEND

- SOIL BORING
- ⊛ MONITORING WELL
- FENCE



APARTMENT

LAUNDROMAT

N. BASSETT ST.

210-212 N. BASSETT

MW-1

GP-2

GP-1

MW-2

GP-3

GP-4

HOUSE

APARTMENTS

MW-3

DOUGLAS ENGINEERING
ENVIRONMENTAL SERVICES
FAUST PROPERTY

SHEET
A

SOIL BORING AND MONITORING WELL LOCATIONS

SHEET 1 OF 1

SCALE: 1" = 20'

FIGURE 3

REV. 5/20/99

LEGEND



MONITORING WELL



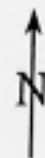
FENCE



GROUNDWATER ELEVATION
CONTOUR



GROUNDWATER FLOW
DIRECTION



LAUNDROMAT

APARTMENT

N. BASSETT ST.

82.00 82.50 83.00 83.50 84.00 84.50 85.00

MW-1
82.58

210-212 N. BASSETT

MW-2
84.59

MW-3
81.54

HOUSE

APARTMENTS

DOUGLAS ENGINEERING
ENVIRONMENTAL SERVICES

FAUST PROPERTY

SHEET
A

GROUNDWATER CONTOURS 3/23/99

SHEET 1 OF 1

SCALE: 1" = 20'

FIGURE 7

REV. 5-20-99

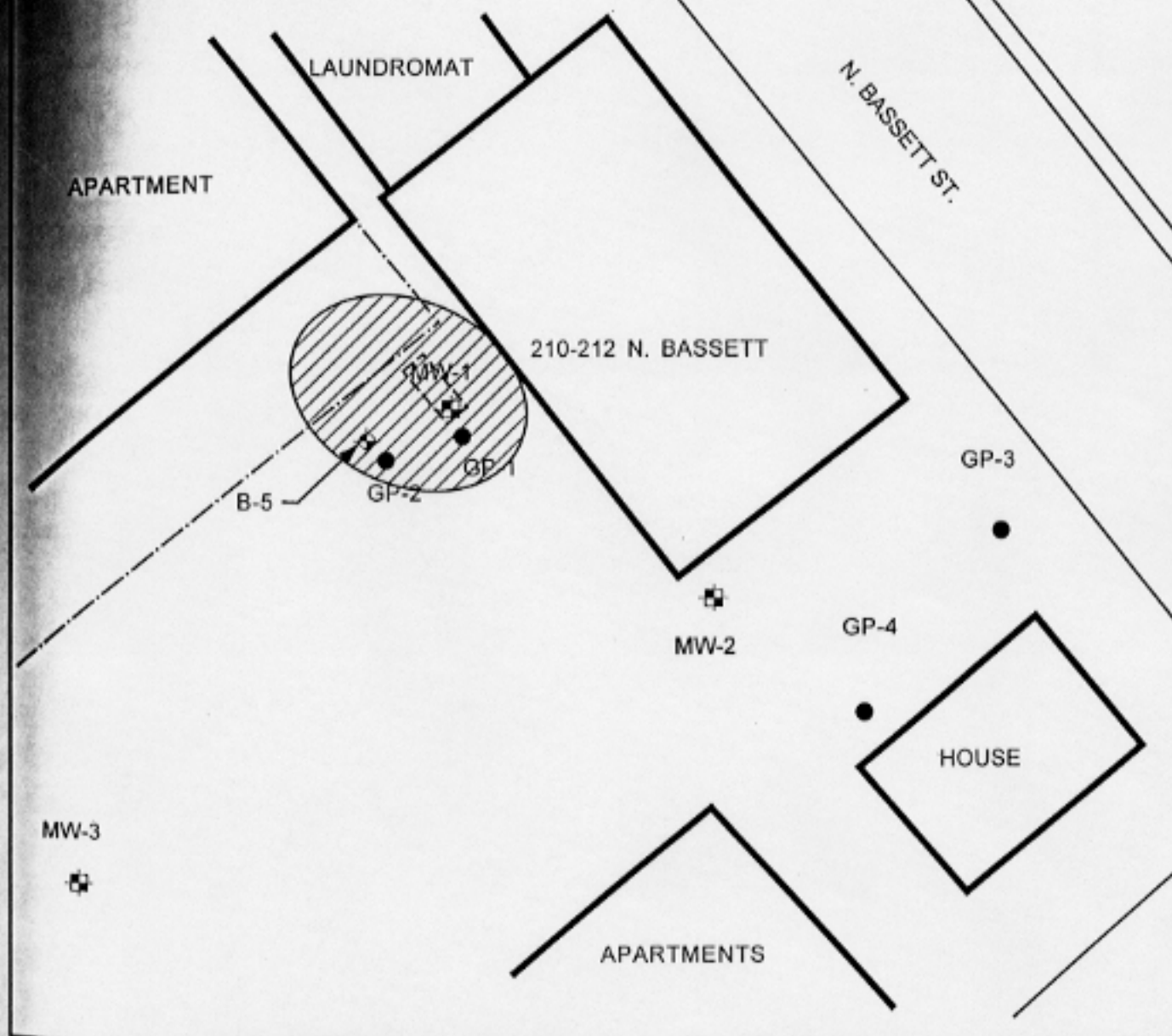
LEGEND

SOIL BORING

MONITORING WELL

FENCE

FIRE HYDRANT



DOUGLAS ENGINEERING
ENVIRONMENTAL SERVICES

FAUST PROPERTY

SIZE
A

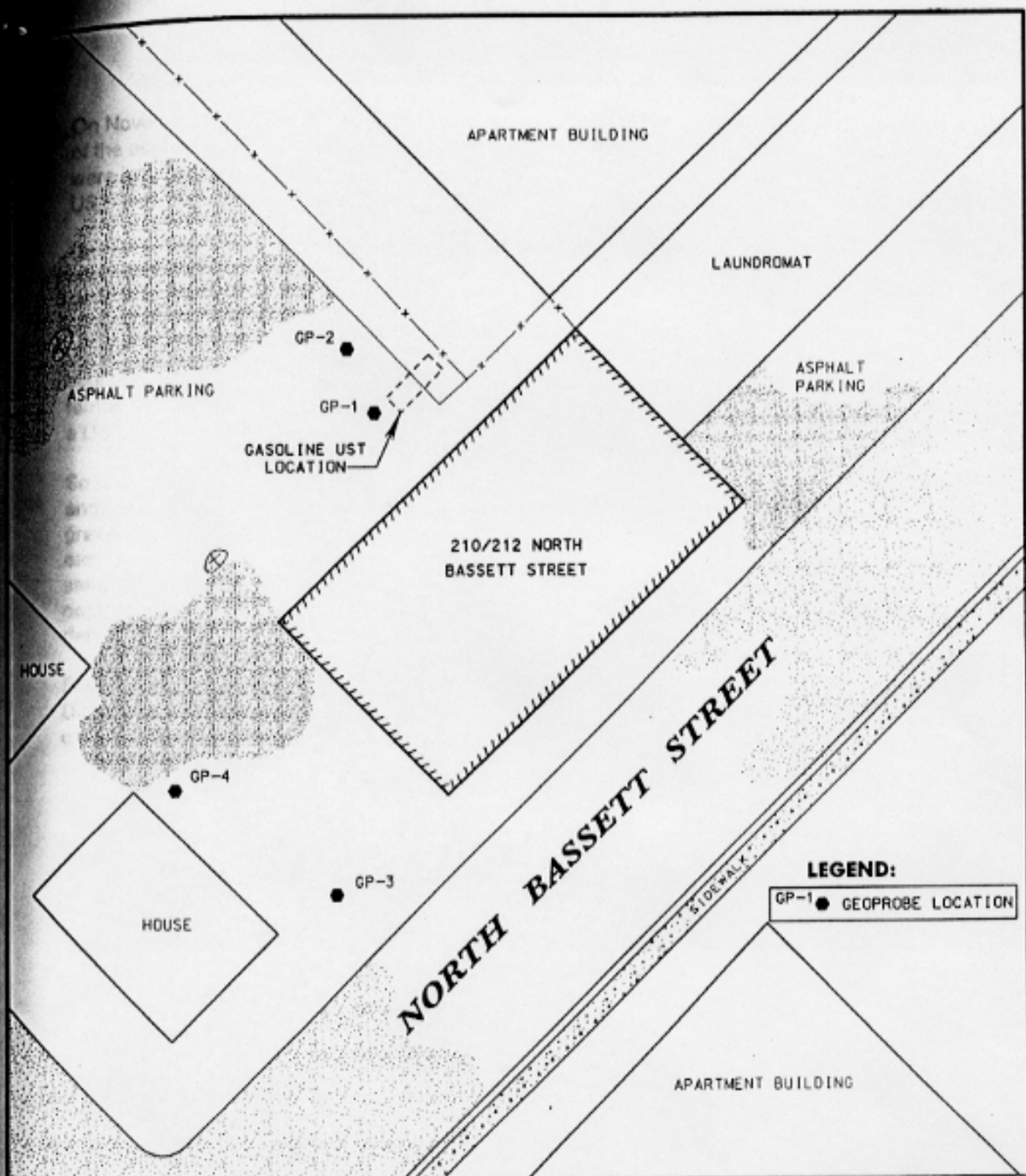
EXTENT OF CONTAMINATION

SHEET 1 OF 1

SCALE: 1" = 20'

FIGURE 11

REV. 5/20/99



AYRES
ASSOCIATES



SITE LOCATION

MAPPING SOURCE:
AYRES ASSOCIATES
CADD FILES



NOT TO SCALE

FIGURE 2 SITE SKETCH

BASSETT STREET PROPERTY
MADISON, WISCONSIN

DATE: 12-04-97
JOB NUMBER: 53-0192.00

PDX TABLE = djenr80.tbl
DATE OF PLOT: 12-04-97
DESIGN FILE = I:\DGN\530192\M0\53019202.dgn
CREATED BY
DGN LEVELS ON = 1-63
PLOT FILE = P:\M000\JP65\53019202.PRF